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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,269	11/30/2001	Edward Henry Daray	CA920000077US1	5486

7590

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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 08/03/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/998,269

Applicant(s)

DARAY ET AL.

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

1. Claims 1-27 are pending in this Office Action.

***Response to Arguments***

2. Applicant's arguments filed on 12 May 2004 have been fully considered but they are not persuasive.
3. As per applicant's arguments regarding the reference does not create culturally correct collation key have been considered but are not persuasive. Harvey teaches creating keys, and the keys can be used to sort the objects (Harvey, Fig. 1, col. 3, lines 33-41, col. 5, lines 43-46, col. 8, lines 47-53). The keys are associated with culturally specific locales which provides sorting rules. Clearly, Harvey teaches claimed culturally correct collation keys.
4. In response to applicant's request to prove the obviousness of claim 2, Keys, Jr. et al. (US 6,751,799) is provided as evidence. Keys discloses that distributed processing improves the execution speed (Keys, col. 2, lines 33-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to operate the computer system in a distributed computer environment in the system of Harvey in order to improve the processing speed and reduce the processing time required.
5. In response to applicant's request to prove the obviousness of claim 8, Fushimi (US 5,903,780) is provided as evidence. As per claim 8, Harvey teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing at least one culturally correct collation key is collated using a comparator. However, Harvey teaches sorting the records (Harvey, col. 2, lines 21-22). Sorting operation involves comparison. Therefore, it is obvious

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that the system of Harvey has comparator. Fushimi proves the obviousness that sorting involves comparison and comparator (Fushimi, Fig. 1, col. 6, lines 60-67). Furthermore, applicant admits that the comparator is well known in the art (specification, page 17, lines 18-21).

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 4-6, 9-10, 13-15, 18-19, 22-24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Harvey, III et al. ("Harvey", 5,687,366).

As per claim 1, Harvey teaches a method performed on a computer system operationally coupled to computer readable memory for storing a set of records each having a data key, said method for sorting based on collation information of a particular culture pertaining to said set of records, comprising:

reading at least one locale token associated with the set of records, the locale token identifying at least one locale object having collation information (Harvey, col. 5, lines 10-55);

using at least the locale object to locate and read the collation information (Harvey, Fig. 5);

creating at least one culturally correct collation key for at least some data keys associated with at least some records (Harvey, col. 5, lines 43-47, "The Locale Object Manager uses the information in these tables to create keys ..."); and

using at least one culturally correct collation key, sorting the set of records into at least one culturally correct sorted order (Harvey, col. 2, lines 21-22, "The function include sorting service functions").

As per claim 4, Harvey teaches all the claimed subject matters as discussed in claim 1, and further teaches said set of records is structured (Harvey, col. 5, lines 36-39).

As per claim 5, Harvey teaches all the claimed subject matters as discussed in claim 4, and further teaches keyed records of said set of records each includes a data field (Harvey, col. 5, lines 10-59).

As per claim 6, Harvey teaches all the claimed subject matters as discussed in claim 4, and further teaches said locale token is appended to said set of records (Harvey, Fig. 5-8, col. 8, lines 1-67).

As per claim 9, Harvey teaches all the claimed subject matters as discussed in claim 4, and further teaches displaying said set of records (Harvey, Fig. 2A, 221, Display).

Claims 10 and 19 are rejected on grounds corresponding to the reasons given above for claim 1.

Claims 13-15 and 22-24 are rejected on grounds corresponding to the reasons given above for claims 4-6.

Claims 18 and 27 are rejected on grounds corresponding to the reasons given above for claim 9.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-3, 7-8, 11-12, 16-17, 20-21 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey, III et al. ("Harvey", 5,687,366).

As per claim 2, Harvey teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing operating the computer system in a distributed computer environment. However, it is well known in the art that distributed processing improves the processing speed and reduces the processing time required. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to operate the computer system in a distributed computer environment in the system of Harvey in order to improve the processing speed and reduce the processing time required.

As per claim 3, Harvey teaches all the claimed subject matters as discussed in claim 2, and further teaches using a pointer to locate the set of records (Harvey, col. 11, lines 2-3); and using the locale token to identify at least one coded character set (Harvey, col. 9, lines 5-25).

As per claim 7, Harvey teaches all the claimed subject matters as discussed in claim 4, and further teach creating culturally correct collation key (Harvey, col. 5, lines 43-47). Harvey does not explicitly disclose the creating act is performed using at least one collation engine. However, since the creating act of Harvey is performed by a computer system, the examiner interprets the computer system of Harvey as a collation engine as claimed.

As per claim 8, Harvey teaches all the claimed subject matters as discussed in claim 1, except for explicitly disclosing at least one culturally correct collation key is collated using a comparator. However, Harvey teaches sorting the records (Harvey, col. 2, lines 21-22). Sorting operation involves comparison. Therefore, it is obvious that the system of Harvey has comparator.

Claims 11-12 and 20-21 are rejected on grounds corresponding to the reasons given above for claims 2-3.

Claims 16-17 and 25-26 are rejected on grounds corresponding to the reasons given above for claims 7-8.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sharp (US 6,738,769) discloses sorting multiple-typed data using culturally correct collation keys.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703)305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.C.  
July 20, 2004

  
**SHAHID ALAM**  
**PRIMARY EXAMINER**